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Social Structure, Culture and Citizenship

Tharaileth Koshy Oommen

Social science in general and the three nomothetic disciplines of economics, political science and sociology in particular were eager to attain accreditation as »scientific« disciplines. Given this anxiety they emulated the Newtonian-Cartesian model which pursued universal laws irrespective of time and space. However, this has been questioned even by »western« scholars. Thus Immanuel Wallerstein argues that »if social science is to make any progress in the 21st century, it must overcome the Eurocentric heritage which has distorted its analysis and its capacity to deal with problems of the contemporary world« (1997: 22). In the mean time several Asian scholars too started interrogating the universality of social science theories and concepts developed in the West (e.g. Oommen 1995; Alatas 2001). It is against this background that I would like to address the present theme.

Citizenship in the Three Worlds

There was widespread endorsement in the latter half of twentieth century that citizenship as a legal instrument provided for equity and entitlement. But in practice it was rarely so because citizenship was and continues to be, linked to nationality. Nationality was always based on territoriality and language but religion and race were/are also invoked as bases of ascribing nationality. Therefore, social and cultural factors often become the bases of inclusion and exclusion of citizens. Even the tripartite division of the world – First, Second, Third – is of doubtful value to understand the context and content of citizenship. Thomas H. Marshall's (1965) civil rights consist of liberty of person, freedom of speech, thought and faith, and the right to justice. Political rights are mainly the right of franchise and the right of access to public office. Social rights, which are actually economic in content, consist of the right to a modicum of economic welfare and social security, to a full share of the social heritage and to live the life of a civilized being according to the standards prevailing in society.

The differences between the three worlds – First, Second and Third – were taken for granted by most social scientists that the structures and processes in these worlds were often contrasted. And, generally speaking, the difference between the First and Second worlds was striking with regard to citizenship rights in that civil and political rights were almost completely absent in the latter. Because the socialist state abolished individual ownership of property, seizing it all for itself, rendered civil rights largely irrelevant. Similarly, the moment for political rights disappeared because of the one party system and the installation of the *nomenklatura*, which totally dominated the system. On the other hand, while substantial weight was given to the welfare component of social rights, the right of small nations to their social heritage was effectively blocked by Great Nation Chauvinism in the multi-national socialist states, leading to their disintegration. That is, for the individuals of relatively homogeneous socialist states the possibility of maintaining the social heritage was substantial. This was also true of individuals who belonged to the dominant nations of multi-national states. The relevant point here is that the differences within the Second World were substantial with regard to certain social rights.

In the case of Third World the situation is more complex and mixed. The only thing more or less common to all the countries in them is the absence of the citizen's right to even a modicum of economic welfare and social security. This is so not necessarily because of any ideological resistance from any section of the population which was the case at least until recently, but because of the gross inadequacy of material resources at the command of Third World states. As for civil and political rights, some of the Third World countries have exemplary records in this, while the performance of others is as tainted as that of the Second World. The point is that the countries of the Third World cannot be put into the same basket. The inescapable conclusion that one reaches is that the tripartite division of the world which was very popular during the Cold War period does not reflect the differences in and conceptions about citizen rights. In fact, differences within each of these »worlds« are as numerous as the differences across them. Hence, the appropriate unit to understand citizenship is an individual state and not a block of states.

Even within First World democracies, the perceptions regarding the content of citizenship vary immensely. As Nancy Fraser and Linda Gordon (1994: 90–107) note, Americans rarely speak of social citizenship because for them it does not imply rights and entitlements embedded in a contract but charity wrapped up in institutional welfare benefits. Social rights which connote respect and equality rarely figure in public debates. Welfare is stigmatized, but work is sacralized. Unemployment is viewed as a private predilection of citizens and not as a manifestation of social policy or economic pathology. In contrast, civil citizenship is highly valued. The hero of civil society, created by civil rights, is the property-owning individual; civil society is exemplified by »possessive individualism«, to recall the seductive

phrase of C. B. McPherson (1974). In fact, as civil society is possessed by individualism, it is very difficult to liberate the body (civil society) of the spirit of individualism as market was encapsulated in it. With the bifurcation of civil society and market it is possible to recognize the altruistic and communitarian orientation of civil society as against the rapacity of the market (see: Oommen 1996: 191–202).

Robbing social citizenship of its contractual character and viewing it as charity has had several consequences. First, the beneficiary becomes a mere recipient of charity with no entitlements, a situation that is morally degrading. Second, the giver of charity assumes instant superiority and accumulates moral merit, the concern being the giver's entry into the other world and not the receiver's physical survival in this world. Third, since the giver and receiver are usually strangers, the recipient cannot demand charity, but can only solicit it. And the cultural mythology of civil citizenship stands in a tense, often obstructing relationship to social citizenship. This is nowhere more true than in the USA where the dominant understanding of civil citizenship remains strongly infected by the notions of »contract« and »independence« while social provision has been constructed to connote »charity« and »dependence« (Fraser/Gordon 1994: 104).

The consequence of this juxtaposition of social and civil citizenship in terms of charity and contract is manifested in the widespread belief in the USA that the opportunity for economic betterment is widely available, that social mobility is determined by the individual's efforts, and that, therefore economic inequality is fair (Klugel/Smith 1986: 37). Further, the feeling that the recipients of welfare exaggerate their needs, cheat the state and avoid work is widespread. That is, Americans are far more concerned about the duties or social obligations of the poor, particularly those who receive welfare support, than about their rights: »it is the moral fabric of individuals, not the social and economic structure of society that is taken to be the root of the problem« (Wilson 1994: 53).

In a comparative study of nine West European countries regarding perceptions of poverty less than 25 percent of the respondents, except in the United Kingdom where the percentage was nearly half, attributed poverty to »laziness and lack of will power« (CEC 1979). That is, the attitude in the UK is fairly close to that in the USA about individual responsibility regarding poverty. And yet, there is a sharp difference between these two countries regarding the value orientations of citizenship. In the USA it is predominantly liberal and in the UK it is largely communitarian, although the two value orientations co-exist in both these countries in differing proportions (Conover et al. 1990: 1–33).

The empirical analysis attempted by P. J. Conover and his colleagues confirms the differing emphases in regard to citizenship rights; American respondents focus on civil rights, whereas British respondents focus on social rights. With regard to citizens' duties, the Americans focus on political responsibility, but the British re-

sponses »contained« relatively more communitarian elements». The central elements in identity of citizenship in the USA are freedom and individualism; in the UK these are a sense of belonging to the land, a shared heritage, and a national identity (1990: 7–24). That is, the conceptions of citizenship vary drastically not only within the so-called First World (the USA and Western Europe), but also between the UK and the USA. It is important to recall here that these two »nations«, the »first nation« and the »first new nation« of the world are widely believed to have common values and institutions; the USA is regarded as a replica of the UK. I suggest that the reasons for their difference should be traced to the fact that they are drawn from different contexts, the Old and the New Worlds, and the consequent variations in their making and modes of incorporating citizens. In the UK citizenship and nationality were/are closely linked, in the case of USA it is ethnicity and citizenship that are linked.

Citizenship and Nationality

The second context to influence the content of citizenship is interstate migration. Baubock argues that immigrants should be regarded as members of the host society even if they intend to return to their country of origin, as membership is acquired gradually and is mainly a function of the duration of residence. This in turn is possible only if an open civil society exists which is not deeply fractured by class or ethnic cleavages:

»If a society is strongly segregated along cultural boundaries immigrants will indeed have to make a choice as to whether they want to become members by assimilating, and institutions of the receiving society will control this admission by defining the criteria of successful assimilation« (1994: 173).

There are several difficulties with this argument. First, if immigrants plan to leave, either for their homeland or for some other destination, that is, if they remain an *ethnie*, it is unrealistic to consider them as members of the host society. It may be the case that they want to leave precisely because they are treated as outsiders. In other words, whether the motivation to leave springs from their attachment to the homeland or from stigmatization in the host society, the fact remains that the immigrant has not become a member of that society. But this should not be viewed as an obstacle in accepting them as members of the host polity and in granting them citizenship rights and prescribing obligations. What I am suggesting is that to be a member of a society (that is, a national) is not simply a matter of voluntary choice, but also involves being accepted by other fellow nationals. In contrast, one can choose to be a member of a polity (that is, a citizen), and the authority of conferring

citizenship rights can be invested in the state. In other words, one can be an ethnic as well as a citizen; nationality need not be a prerequisite to becoming a citizen. But whether or not this is possible is dependent on the very concept of citizenship that a state adopts.

Second, there is hardly any functioning civil society that is »open« to immigrants ignoring their background. Those societies that come nearest to being so are deeply divided by class, ethnic and racial cleavages, precisely because they are heterogeneous. A democratic polity today by definition cannot be a homogeneous society because the former is open and the latter is closed. That is, a nation-state that fosters homogeneity is bound to produce a closed society. Several nations and ethnic groups can and should co-exist in a democratic polity, as this is the real test of openness. According to Ralf Dahrendorf:

»The true test of the strength of citizenship is heterogeneity. Common respect for basic entitlements among people who are different in origin, culture and creed proves that combination of identity and variety lies at the heart of civil and civilized societies... Exclusion is the enemy of citizenship« (1994: 17).

Third, the prescription of assimilation as a prerequisite for the immigrants to become members of the host society is coercion, and is hence undemocratic. While assimilation often provides some material and symbolic pay-offs, the assimilated lose, or have reluctantly to renounce, their identity; they are compelled to destroy their »society« so as to become members of the host society. The immigrants may do it because of their precarious material condition; it is precisely because of this that, while they often resent assimilation under coercion, they cannot always resist it, because of their inadequate striking power. They are captives of their helplessness.

Both empirical reality (heterogeneity of contemporary state populations) and the prevailing value orientation (commitment to democracy) militate against the linkage between citizenship and primordial identities including nationality. This proposition, however, is not as startling as it appears. Jürgen Habermas asserts that »Citizenship was never conceptually tied to national identity« (1992: 4), but Liah Greenfeld and Daniel Chirot (1994: 79–130) identify three initial conceptualizations regarding the linkage between citizenship and nationality, while delineating the relationship between nationalism and aggression which is an extension of Greenfeld's earlier attempt (1992: 11). It seems to me that these linkages were attempted to meet the specific requirements of state-building. The empirical reality has changed substantially due to the emergence of the New World, dislocation of populations wrought by socialist states, the failure of the homogenization project initiated by nation-states and the ongoing process of inter-state migration accelerated by modernization and globalization.

The English »nation« was initially conceptualized as a collective of sovereign individuals; this later gave birth to the individualist libertarian concept of the state. If individuals constitute the units of nation, citizenship and nationality could be bifurcated. Great Britain was thus conceived as collectivity of citizens drawn from different nations – England, Scotland, Wales and Ireland. This conception was functional to its state-building which explains the persisting ambivalence in characterizing both Great Britain and its constituent units as »nations« even among scholars. Other examples of this type are Switzerland, the Indian Union and the emerging European Union. In contrast to this is the conceptualization that views nation as a distinct people, the collectivistic-nation. In this mode of conceptualization citizenship and nationality got fused. The typical examples of this concept of nation are the German and Italian nation-states.

These two types of conceptualization have given birth to two different criteria of membership in the nation. Where nationality and citizenship are bifurcated, the former, at least in principle, is civic, that is open and voluntaristic; it can be acquired. In contrast, where the two are fused, membership in the nation is inherent, that is nationality has nothing to do with individual will and citizenship is inherited. One implies the other. The collectivistic nation and the multi-national/multi-cultural state are patently contradictory to each other and hence the meaning and content of citizenship in them vary.

The third mode of conceptualization is a mutation of the above two and is exemplified by the French case. In France an individual can acquire nationality, that is, citizenship, through a process of »Frenchification« learning the French language, receiving a French education and internalizing French culture, irrespective of race and religion. This in principle gives birth to a civic-collectivistic state fostering a community of citizens. However, there is a hierarchy of citizens and nationals even here; the white, Catholic, French-speaking citizens from France at the top, and the »Frenchified« black Muslim »immigrant« citizen at the bottom (see: Oommen 1997: 164ff.).

It is clear from the above analysis that delinking nationality and citizenship is an imperative if the society is to be rendered open and if the polity is to remain democratic. This should not endanger the integrity of the polity because it is possible to construct a political culture dissociated from national and ethnic origins, but anchored to the principles of multi-culturalism as noted by Habermas (1992: 7). The British model, in principle, fits the bill. But in practice a variety of collectivities feel deprived, both nationals and ethnies. Thus Ireland, Wales and Scotland are characterized as internal colonies of the dominant English nation, although the nationals of these »colonies« are citizens of the British state (Hechter 1975). The lower classes from these colonies may feel that they are »second-class« citizens. If so, the predicament of the non-national citizens, particularly the coloured immigrants, who are

also largely of the under class, can well be visualized. Granting citizenship entitlements will at least partially erode the stigma associated with them as outsiders.

Content of New Citizenship

The importance of the suggestion becomes evident when one notes that consensus about the content of citizenship and the provision to protect the poor from the depredations of the market has been eroded of late. The four reasons listed by Herman Van Gunsteren for this erosion (1994: 36–48) may be paraphrased as follows. First, in the context of increased inter-state (the author refers to it as international) spatial mobility, citizenship has become an eagerly sought-after status. The logical corollary of this is resistance to the conferring of citizenship on non-nationals – the issue of exclusion. Second, an increasing number of citizens has actually started to misuse, or is perceived to be misusing, their entitlement – the free-rider problem. Third, the state's authority has been gradually diluted both by supra-state and intra-state agencies – erosion of state sovereignty. Fourth, the liberating and enabling provisions of the welfare state have come to be discredited – the current emphasis on the free play of market forces.

To cope with the situation Van Gunsteren suggest a new type of citizenship, the neo-republican type, which draws its constitutive elements mainly from three models of citizenship – the communitarian, the republican and the individualistic (ibid.: 45ff.). First the citizen is to be viewed as a member of a public community: the republic, which in principle gives freedom to individuals to form communities, to join or to reject them – the communitarian element. This freedom to join the republic is not available to the non-national groups and when they form their own »communities« which indeed is a mark of estrangement and alienation from the republic, they are accused of opting out of the »nation«. Second, there are elements of virtue to be drawn from the republican concept of citizenship: the competence to participate and the ethical commitment to play the role of citizenship are emphasized. But one can play the role of citizen only if and when one is assigned the status of citizenship. The problem faced by non-nationals in playing the role of citizenship is their very exclusion from the nation.

The third model is citizenship as the primary office in the public community – the individualistic element. That is, to be meaningful, citizenship should be activated, it should be exercised. Once again, the role of citizenship being kept under suspended animation is not germane to be non-nationals, but its very acquisition is. The notion of a neo-republican citizen as an autonomous and loyal individual capable of making sound judgment and fulfilling the double role of governor and gov-

erned, as van Gunsteren constructs it, is applicable only to nationals and not to the non-nationals. The problem of the latter is the very accessibility to citizenship. In the final analysis, if citizenship is to be rendered an enabling identity it should be delinked from all primordial identities – racial, religious, tribal and linguistic – which are invoked to form national identity.

All societies are stratified on the basis of age, gender, and class. However, if a society's population is drawn from the same race, religion and/or linguistic group, it could be designated as »homogenous«. Conversely, multiracial, multi-religious, and poly-ethnic societies may be referred to as heterogeneous societies. In this type of society, there is a possibility of inequality becoming a formal feature based on race (e.g. apartheid in South Africa or caste i.e. India, before 1947), which also renders them hierarchical societies. That is, heterogeneous societies with institutionalized inequality are hierarchical. A heterogeneous society need not however be hierarchical as racially and/or culturally diverse groups in the polity may have formal socio-economic equality. Social structural features such as hierarchy and cultural heterogeneity make the realization of citizenship ideals more difficult.

In the cases of stratified, heterogeneous, and hierarchical societies, the internality of none of the constituent elements is questioned. Thus, the American »Negro,« the Indian »untouchable,« and the Greek »slave« were all accepted as essential and useful internal elements although equality was not granted to them. In contrast, the internality of one or another segment in a »plural society« is questioned; that is, plural society is polarized between insiders and outsiders. Sometimes, the insiders may be marginalized (e.g. the First Nations in the New World) and the outsiders become dominant and sometimes the outsiders may be marginalized and deprived of their rights (e.g. Indians in Fiji, or guest workers in Western Europe). It is of signal importance to note that the first three types of societies are not either/or but additive types. That is, culturally diverse societies are also stratified. Hierarchical societies are stratified and heterogeneous, but plural societies are stratified and heterogeneous although they may or may not be hierarchical. However, they have one or more segments whose internality to the society is questioned. This cultural externalization undermines the citizenship status of the affected groups and communities.

Citizenship in India and West Europe

Historically, the relationship between the state and citizens has been resolved in three distinct ways. These are the hegemonic type, the uniformity type, and the pluralist pattern (Worsley 1984). The Indian situation does not neatly fit into any of

these models, falling somewhere in between the uniformity type and the pluralist model. This is not simply because of the gap between vision and reality, a mere parxiological aberration, as is often argued, but also due to a serious theory gap traceable to compulsions of India's historicity. During the freedom struggle most of the primordial identities (save the case of »Muslim nationalism« from the 1920s onwards) did not assume much saliency. However, once the historicity of context changed those temporarily frozen identities gradually started assuming salience. That is, the *nationalist expectancy* that all citizens of free India would enthusiastically involve themselves in the task of »nation building« irrespective of their socio-cultural background was flawed and could not be easily realized. That is, the conceptualization of the relationship between state and citizen did not adequately account for the specificity and complexity of the Indian situation.

There is another context that creates ruptures between citizenship and nationality in multi-religious societies such as India. It is frequently argued that a prominent feature of a modern state is that it has a legal system which applies uniformly to all its citizens. Again, this argument is applicable and sustainable only in those cases in which society and polity are coterminous. Several legal systems coexist to regulate the behaviour of Indian citizens (Baxi 1982). First, the state legal system (SLS) applies uniformly to all citizens in the all-India »secular« contexts. Second, the religious legal system (RLS) applicable to those who profess religions of Indian origin and RLS applicable to co-religionists everywhere irrespective of their citizenship status. Third, the folk legal system (FLS), based on oral traditions, as practiced by the people, in their specific regional-cultural contexts.

The point to be noted is that the regional-religious diversity of India necessitates recognition and operation of legal pluralism with regard to civil laws. Some of the laws in RLS applicable to religions of Indian origin is incorporated into the SLS in the form of Hindu Code Bill and the state intervenes as reformer in the case of Hindus, this is not done in the case of »alien« religions (Smith 1964). The presence, operation, and recognition of different legal systems indicate the possibility of a multicultural system, functioning within a polity and state. That this arrangement is even desirable can be exemplified by noting the fact that people invoke different legal system (e.g. SLS, RLS, FLS) for different purposes, levels and contexts.

Disputes that affect one's prestige (*izzat*) in an individual's kin-group, caste or community are usually processed through FLS and RLS. However, the possibility of resorting to SLS is greater if disputes do not adversely affect the prestige of the individual's primordial groups, and if the adversary is an »outsider« to the individual's group. Further, disputes that are processed through SLS on the one hand, and RLS or FLS on the other, usually differ in terms of their content. This dispute-cum-adversary-specific response to different legal systems necessitates co-existence rather than conflict between them. However, this is not to suggest that the contents

of legal systems, particularly those of RLS and FLS, are always desirable, and that there is no need to evolve a generally applicable legal system for all the citizens of India, for example, a uniform civil code. The point I wish to make here is that even the criterion of a uniform civil legal system is not always applicable to multicultural societies, which creates rupture between citizenship and nationality.

Language was the fulcrum on which states were built in Western Europe. Based on this experience, Ernst Gellner (1983), for example, argues that modern »nations« are moulded in their schools where shared national languages are taught and developed (Incidentally, Gellner like most other authors conflate state and nation). According to him, this is important for building states, because unless there exists a common communication medium, industrial societies cannot be sustained. In turn, this is based on the assumption and argument that modern nations emerged because of industrialization. The economy of the industrial society depends on spatially mobile individuals who can sell their skills and labour in an ever-expanding market and who can communicate in a common language. Needless to say, Gellner's argument is based on the limited experience of the capitalist industrial societies of Western Europe and is not applicable to most other parts of the world and certainly not to India. Further, the argument is an ex-post factum rationalization. European states emerged out of nations; »one-nation, one-state« was the principle of state formation. At any rate, industrialization need not be linked to the formation of nation-states. Therefore, the argument cannot be sustained either on logical grounds or on empirical evidence.

Indian nationalism is a product of colonialism not of industrialization. India remains predominantly agrarian even today, and yet India has succeeded in building a modern national state. (The distinction between nation-state which is unicultural and national state which is multi-cultural needs to be kept in mind here). Neither industrialization nor a common language is prerequisites for building a modern state, as the Indian experience clearly demonstrates. Any attempt to impose a common language would put unbearable stress and strain on the societies and cultures of India, and the Indian polity will not be in a position to bear it. To put it differently, the conceptual distinction between citizenship and nationality is a prerequisite for the very survival of multinational states such as India.

The same confusion persists in regard to conceptualizing the welfare state. Thus Michael Roche writes: »Welfare states depend on the existence of an *effective common culture* in modern societies. »Culture« covers a variety of relevant factors including the existence of a common language and writing system (...)« (1992: 41). By this criterion a multinational or pluri-cultural state cannot be a welfare state. India may not qualify to be a fully-fledged welfare state at present but it has all the potentialities to become one. The point to be noted here is that India, despite being a country in which numerous languages are spoken and have different writing systems, has not

necessarily found this to be a stumbling block in becoming a welfare state. A state is but a politico-legal entity, and if it can ensure for its citizens the opportunity for equal participation and entitlements, it can be a welfare state. To argue that in order to ensure equality of opportunity there ought to be a common language is to suggest that cultural homogeneity is a precondition for the achievement of welfare. This should be viewed as antithetical to the spirit of democracy because a welfare state should celebrate cultural diversity, one of the ways through which authentic citizenship can be institutionalized.

Conclusion

The burden of my argument is that (a) even if the notion of citizenship is universal in its form, its substance vary across different polities; (b) this difference can be readily discerned in the varying emphasis put on the different dimensions of citizenship – civil, political, social – in the First, Second and Third worlds; (c) even within the polities of the three worlds there are substantial differences; and (d) these variations can be better understood through the historical backgrounds, social structures and cultural compositions of particular national states. Thus to juxtapose indigeneity with universality is not rewarding in conceptual matters and theoretical orientations. While there is universality in certain contexts and layers there are particularities in some others. These specificities should be captured to fill the gap between data, concepts and theories.

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